

Prostitution X

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UNITED NATIONS WAR CRIMES COMMISSION

Trial of Washio Awochi by a

Netherlands Temporary Court-Martial at Batavia

25th October, 1946

(The following translation of the judgment has been made available to the Secretariat by Commander M. W. Mouton, Netherlands Representative on the Commission.)

Dutch 4.

Pro-Justitia.  
40/1946

SENTENCE

IN THE NAME OF THE QUEEN!

The Temporary Court-martial at Batavia in the case of the Prosecutor ratione officii, against:

WASHIO AWOCHI, aged 60, born at Nagasaki, hotel-keeper by profession, now under arrest in "Struiswijk" prison, Batavia.

In view of the order, dated 28th September 1946 and issued by the Prosecutor, committing the accused for trial by the Temporary Court-martial, in which order the accused is charged:

that he, in Batavia, on dates falling within the period between September 1943 and September 1945, therefore in time of war, and as a subject of a hostile power, namely Japan, committed war crimes and caused such to be committed by, contrary to the laws and customs of war and as owner of the Sakuraclub, founded for the use of Japanese civilians, recruiting women and girls to serve the said civilians or causing them to be recruited for the purpose and then, under the direct or indirect threat of the KEMPEI (Military police: see note on last page) should they wish to leave, forcing them to commit prostitution with the members of the said club and for this purpose making them take up residence in a closed-off part of the club which they were not able to leave freely, a number of women and girls being in this way placed by and with the collaboration of the accused at the disposal of the afore-said Japanese for the purpose of prostitution and their liberty of movement restricted, which facts are provided for and made punishable by art:4 and following of the War Crimes Penal Law Decree, Statute book 1946, No.45;

In view of the serving of the writ and summons of 11th October 1946 whereby the accused is called upon to appear at 9 a.m. on Monday, 21st October 1946, at the session of the Temporary Court-martial sitting in the former Supreme Court of the Netherlands East Indies;

In view of-



In view of the demand read out and then handed to the Temporary Court-martial by the Prosecutor, to the effect:  
that the Temporary Court-martial declare the accused,

WASHIO AWOCHI,

guilty of the war crime "enforced prostitution" and therefore sentence him to fifteen years imprisonment;

In view of the documents in the case insofar as use was made of them and they shown to and seen by the accused;

In view of that which has been <sup>put</sup> forward by accused and his counsel in the former's defence.

CONSIDERING that the accused has in substance stated that he is a Japanese subject and has been established in Batavia since 1920, the latter part of the time as a hotel-keeper, and that he went back to Japan on 30th November 1941, returning to Batavia in June 1942 by order of his Government;

that then by order of the Japanese burgomaster of Batavia, SUKOMOTO, and the latter's secretary, KOTANI, he opened the Akibono restaurant, 2 Noordwijk;

that the Akibono was a restaurant open to all, the service being carried out by women, and that the "service-girls" (waitresses) were on duty as such till 11 p.m.;

that these girls were not compelled to go to bed with visitors to the restaurant but were free to do as they liked after 11 p.m.;

that at the Akibono he became acquainted among others with Lies BEERHORST who, together with MOLENKAMP and Poppy ECKHARDT, was added to his staff by the municipality;

that Poppy ECKHARDT arranged the women's side of the business, Lies BEERHORST being assistant;

that because Poppy ECKHARDT and Lies BEERHORST were always quarreling he finally discharged the former and installed Lies BEERHORST in her place;

that from April 1943 he lived with Lies BEERHORST;

that on 2nd June 1943 he received orders from the GUNSEIKANBU (see note at end) to open a brothel in the Horning passage in Batavia, which he did under protest after twice having received orders to this effect;

that a block of houses in the Horning passage was arranged as a brothel and a restaurant and bar attached, the whole being generally known as the Sakuraclub and reserved exclusively for Japanese civilians;

that Lies BEERHORST helped him to fix up and run the brothel;

that Lies BEERHORST engaged the prostitutes but that he, as head of the affair, confirmed the appointments;

that he, accused, chiefly busied himself with the books, keeping in touch with the GUNSEIKANBU, and with supplies;

that the brothel was opened on 10th September 1943 with twenty prostitutes and continued in existence till about September 1945, when the Japanese capitulation made it necessary to close down the business;

that the prostitutes had to be seventeen years of age before being taken on, were fully informed of the work they would have to do, were only accepted of their own free will and if they wanted to could end their period of service at any time they wished;

that the women received a regular monthly salary plus a portion of the sum which the visitors who went to bed with them had to pay: they also got board and lodging;

that they were under regular medical inspection;

that he, accused, and Lies BEERHORST advised the prostitutes to make as much money as they could, this being in their own interest: and also making them of more value, but he had never prescribed that each was to make a certain sum per evening and he does not know that Lies BEERHORST ever did this either;

that the prostitutes, several of whom had already practised this profession earlier, came from Batavia, namely eleven Dutch women from

Tjidong camp and-



Tjideng camp and others from the communities in Senarang, Bandoeng and Salatiga which had not been interned;

that he himself, taking turns with Lies BEERHORST, a certain Mrs. WIES and a certain Mrs. van WERMESKERKEN, alias Aunt Noes, went to places outside Batavia to recruit prostitutes for the Sakura club;

that when the prostitutes were taken on he sent their names to the KEMPEITAI which had the supervision of Japanese businesses and which came once every two or three months to inspect;

that he himself had never used any threat, force or trick to recruit women as prostitutes for the Sakura club, or to force them to remain when they wanted to resign, and that he does not know of Lies BEERHORST or any of her co-workers having done so;

that also he does not believe that they did this and certainly not that they used the KEMPEITAI as a threat, because the KEMPEITAI only acted when he personally called for their intervention and they certainly would not have acted at the request of one of his subordinates;

that he did once beat one of the prostitutes because she had quarreled with Lies BEERHORST and another time because she had a clandestine friend outside the brothel, but he did not beat her in order to force her to become a prostitute;

CONSIDERING that in their statements during the preliminary investigation, which statements, made out on oath and read out to the accused at the trial appear among the documents in the case, the following witnesses have in substance declared and confirmed on oath;

1. Catarina VODEGEL:

that from 6th May 1944 till about September of that year she worked as a prostitute at the Sakura club, a brothel in the Horning passage in Batavia;

that she voluntarily accepted this occupation at Lies BEERHORST's suggestion;

that when working at the Sakura club she twice asked to be released and both times this was refused by Lies BEERHORST who threatened her with the KEMPEI;

that she then ran away from the Sakura club but was fetched next day by one of the KEMPEI, taken to the KEMPEI office in Koningsplein West, shut up in a cell there for a week and then released;

that the KEMPEI man had said to her: "You are one of AWOCCHI's women: I have to arrest you because you ran away from the Sakura club";

that after being discharged by the KEMPEI she was not allowed to work any longer in the Sakura club;

2. Wilhelmina Johanna PIK-HENDRIKS:

that in August 1943, being an internee in Tjideng camp, at Lies BEERHORST's suggestion she accepted a job as "service-girl" in the Sakura club together with other women from the camp;

that according to Lies BEERHORST there were two groups (workers) at the club, the "A" group being the "service-girls" and the "B", the prostitutes;

that she accepted the job of "service-girl" in order to be able to give her three-year old son strengthening food as he was very weak;

that she and the other women recruited at the same time from the Tjideng camp were allotted a house in the neighbourhood of the Sakura club;

that the very second evening they were forced to go to bed with visitors;

that all the women protested at this but Lies BEERHORST compelled her, threatening her with the KEMPEI;

that through fear of the KEMPEI witness and her companions gave way;

that Lies BEERHORST always threatened her with the KEMPEI if she did anything wrong or refused to do something;

that two girls named Mary PEETERS and a certain Jopie ended up with the KEMPEI because they did not want to go on working any longer, and the general opinion of the women working there (in the Sakura club) was that this was Lies' work;

3. Theodora Hermine-



3. Theodora Hermine Edmonda MAJOOR-KREMER:

that from August/September 1943 to May 1944 or rather, 1945, she worked at the Sakura club as a prostitute;

that she voluntarily asked for a post there and was taken on by AWOCHI;  
that she asked for her discharge a few weeks before Japan capitulated but was refused by Lies BEERHORST, who added: "It is out of the question to leave here. You can't go. Don't you go thinking you can go into the camp";  
that she, witness, very much wanted to go into the camp at that time as she no longer liked the work at the Sakura club;

4. Frederika Carolina VERSTEEGH-van der KLEY;

that from April 1944 to December of the same year she worked as a prostitute at the Sakura club;

that she went there of her own free will with the arrangement that she would only get one "friend" there, but once she was there she was immediately compelled to give herself to each visitor who wanted to have sexual intercourse with her;

that the Japanese AWOCHI was head of the place and Lies BEERHORST was under him;

that once through Lies' mischief-making, she was given a thrashing in front of the others by AWOCHI and Lies BEERHORST's mother. She, witness, had had a violent row with Lies because she, witness, stood up for the interests of the fourteen and fifteen year old girls working there;

that at the start there were three sections in the Sakura club, namely service, bar and prostitution;

that the girls were taken on for the service or bar but always finished up in the prostitution section;

that among the girls were some who had previously known nothing of that life and who were from fourteen to sixteen years old;

that the girls were threatened by Lies BEERHORST with the KEMPEI if they asked for their discharge, and also got the KEMPEI thrown at their heads if they had a boy friend outside;

that at the Sakura club the women were each allotted a house outside the enclosure and were obliged to live there;

5. Mathilda Cornelia RADEMAKER-de BRUINE;

that from 28th September 1943 till its closing down she worked as a prostitute at the Sakura club;

that she asked for the job entirely of her own free will;

that after two months she asked Lies BEERHORST for her discharge, but the latter advised her not to leave, advancing among other arguments that she, witness, would then be fetched by the KEMPEI;

that six months later she again asked for her discharge because the work was too heavy for her;

that the women had namely to take at least fifty guilders each evening which meant that they had to receive at least three visitors;

that the Japanese AWOCHI was at the head of the Sakura club;

6. Jacoba ALTING SIBERG-SCHAPER:

that from the beginning of 1944 till its closing down at the end of 1945 she worked as a prostitute at the Sakura club, a brothel in the Horning passage, Batavia, and that she accepted this post voluntarily;

that the Japanese AWOCHI and Lies BEERHORST were at the head of the club;

that she together with other girls wanted to leave the Sakura club in the middle of 1945 because the work was too heavy for her as she had to collect at least fifty guilders per evening, going to bed with at least three visitors;

that she and the five other girls told Lies BEERHORST of their intention to ask for their discharge but Lies BEERHORST advised her against it because she would then get into difficulties with the KEMPEI;

that AWOCHI did not bother himself much with the girls and that she, witness, had no trouble from his side;

7. Louise HARMSEN:-



7. Louise HANSEN:

that from about September 1943 till about May 1944 she worked as a prostitute at the Sakura club and that she had voluntarily accepted this job;

that however when she wanted to resign AWOCHI and Lies BEERHORST would not allow her to do so, and Lies BEERHORST several times threatened her with the KEMPEI when she asked for her discharge, and also threatened her with the KEMPEI if she had a friend outside;

8. Pauline HANSEN:

that from September 1943 to May 1944 she worked as a prostitute at the Sakura club and that she accepted this post voluntarily;

that Lies BEERHORST threatened the girls with the KEMPEI if they had a friend outside, and Lies BEERHORST and Willy PAIS forced them to go to bed with drunken Japanese;

that she, witness, did not wish to send in her resignation because she had been there when another girl had been refused her discharge by Lies BEERHORST who had used the threat of the KEMPEI;

9. Maria PEETERS-KOERTS:

that in July 1943 while she was interned in Tjideng camp, Batavia, Mrs. BEERHORST and Mrs. PAIS came there and asked for ladies who would like to work in a Japanese club, the Sakura club, the head of which was the Japanese AWOCHI and which consisted of a restaurant with a bar attached;

that in order to get money for her children and because she would not have to work in the brothel, she, together with a companion, Mrs. KINDT, agreed to go and work at the Sakura club;

that in October 1943, when the club was opened she went to work there, first in the bar but after a few days she was told she would have to become a prostitute for the Japanese;

that originally there was no threatening but she, witness, dared not refuse after a certain Mrs. DIJK or VOGD was severely beaten;

that shortly after arriving in the club she gave in her resignation to Mrs. BEERHORST who was to put it before AWOCHI;

that an unknown Japanese asked her why she wanted to leave but nothing else happened as a result of her request to resign;

that in January 1944 she again repeated her request to Mrs. BEERHORST with the result that on the 17th of that month she was fetched by the Political Intelligence Service and reproached that she had incited the girls to leave, she was then kept in custody for nine days by the above service and afterwards taken to Grogol;

that Mrs. BEERHORST ordered the women in the Sakura club to receive two people per evening, accompanying this with threats of the KEMPEI;

10. I. KINDT-HUYSMAN:

that in August 1943 she, Mrs. de HOOG and Mrs. PEETERS left the Tjideng camp to go and work in the restaurant of the Sakura club, the head of which was the Japanese AWOCHI;

that she and the two women mentioned were informed by Mrs. BEERHORST and Mrs. PAIS of the fact that intimate association with the Japanese was attached to this post, but that according to Mrs. BEERHORST and Mrs. PAIS it was very possible to escape this if they did not feel like it;

that however the very first evening she and her companions after first having refused had to give themselves to the Japanese, and this at least twice per evening;

that they again refused some days later but were then threatened by Mrs. BEERHORST with the KEMPEI;

that Mrs. BEERHORST said to her: "In order has come in that we must retire with at least two Japanese per evening;"

11. Elisabeth Gesina Johanna de VRIES-LAAN:

that from February 1944 she worked as a nurse for the prostitutes in the Sakura club;

that in her opinion-



that in her opinion it was difficult for the girls in this brothel to get out because most of them were in debt (advance) to AWOCHI and Lies BEERHORST;

that in the Sakura club there was one girl of twelve working and another of fourteen;

12. Mathilde Gerritje van der HEYDEN;  
born 13th June 1929;

that when she was living in Semarang with her mother she was persuaded by Mrs. BEERHORST and Mrs. RAP to go with them to Batavia and to work in a restaurant there with Mrs. BEERHORST;

that at first she had no desire to do so but when Mrs. BEERHORST threatened her with the Political Intelligence Service and with being taken off to the outer districts (the other islands) if she did not go, she gave way;

that she and other girls were then taken to Batavia and put into a sort of hostel behind the Goenoeng Sari where the girls had to live two to a cottage;

that at first she had to keep the Japanese visitors company in the restaurant but in a very short time Mrs. BEERHORST brought pressure to bear on her to go to bed with the Japanese;

that the girls had to receive at least two Japanese each evening and were threatened with the KEMPEI if they tried to escape or look out for another job;

that she was then ill for three months and after this was over, in April 1945, was allowed to go home to Semarang;

that when she left Semarang Mrs. BEERHORST had said to her she was to tell no one how old she really was and that she was to say she was seventeen;

13. Henriette Mathilde Huibertje BURINK-van der HEYDEN;

that about March or April 1944 Mrs. BEERHORST and Mrs. RAP came to her to get her daughter, witness Mathilde Gerritje van der HEYDEN, born in 1929) to go and work in a restaurant in Batavia;

that she, witness, was at first not at all keen on the idea but when Mrs. BEERHORST began to threaten that if she would not let her daughter go the latter would be fetched by the Political Intelligence Service and taken off to the outer districts witness agreed, especially as Mrs. BEERHORST assured her that her daughter would only work in a restaurant and not be used for other purposes;

that when her daughter once returned for a few days from Batavia she told witness she had landed up in a brothel;

14. Alexandrine Elize BEER-GODIN;

that about April 1944 she came into contact with Mrs. BEERHORST and Mrs. RAP in Semarang where she was living;

that Mrs. BEERHORST asked if she would like to work in a restaurant in Batavia, and Mrs. RAP advised her to go there with them otherwise she would be fetched by the police and sent to the outer districts;

that from fear of this threat she agreed to go and work in Batavia to which place she and five other girls and women who had also been recruited, went on 26th April 1944;

that the first evening in the restaurant in Batavia she saw women with Japanese and acquiesced herself out of fright;

that Mrs. BEERHORST told the women that if they left the brothel in order to be kept by a Japanese outside they would be fetched by the KEMPEI, thrashed and sent to the outer districts;

CONSIDERING that from the declarations made by all the above women taken in conjunction with accused's own statements it has been proved:

that accused at the time and place mentioned in the charge, therefore in time of war, and as a subject of the enemy power, Japan, founded the Sakura club for the use of Japanese civilians;

that a restaurant and a brothel belonged to this club, the whole forming a business arising from Japanese initiative and standing entirely under

Japanese direction-



Japanese direction and control;

that the women and girls intended for serving Japanese civilians in the restaurant and for acting as prostitutes in the brothel were recruited by the accused, either by him personally or, as head of the Sakura club in his name, by his assistants and subordinates, of whom Lies BEERHORST, with whom accused lived, was the principal;

CONSIDERING further that in spite of the accused's denial it has been proved by statements made by witnesses:

that the women and girls intended for prostitution had to take up residence in a part of the club shut off for that purpose and from which they were not free to move;

that they, at anyrate several of them, when once in the Sakura club were threatened with the KEMPEI, should they wish to resign from being prostitutes and that out of fear of this threat they continued against their will to lend themselves to prostitution.

under CONSIDERING in view of the circumstance that in the life of society in general the Japanese domination the idea of contact with the KEMPEI was considered, and very rightly so, as being synonymous with ill-treatment, loss of liberty or worse, and in view of the fact that in the present case that threat was no idle one, as has been established by the statements of witnesses Catarina VODEGEL, Wilhelmina Johanna PIK-HENDRIKS and Maria PEETERS-KORTS, that the threats made were of such a serious character that it is perfectly reasonable that the women and girls were forced through them to give themselves to the Japanese visitors of the Sakura club against their will;

CONSIDERING that through the enquiry held during the sitting it has been established that the threats were uttered chiefly by Lies BEERHORST and not by accused personally, yet in view of the fact that the Sakura club was a Japanese business, standing under the control of the KEMPEI according to accused's own statement, and, further, that accused was leader and head of the club and from his own statement that it was only on his initiative that the KEMPEI took steps against the prostitutes after complaints had been made about them, also that Lies BEERHORST lived with him as his mistress and was a subordinate of his, and that accused had great financial interests in the takings of the club, it can be accepted as established, not only that accused knew of Lies BEERHORST's attitude to the prostitutes but, even, that this attitude was the result of an order given to Lies BEERHORST by the accused;

of

CONSIDERING that, in view where the power lay in this country during the Japanese domination and of the ideas held by the Japanese with regard to the relationship between them and their subordinates, especially if these latter belonged to another race, the Court knowing this from its own experience, it may be taken on these grounds that accused is directly responsible for the treatment to which the prostitutes were subject at the Sakura club;

CONSIDERING therefore that the facts with which witness has been charged, as also his guilt therein, have been legally and convincingly proved;

CONSIDERING that these facts are a violation of the laws and customs of war, committed in time of war by a subject of a hostile power, namely Japan, and that they constitute the war crime "enforced prostitution", provided for and made punishable by article 1 (sub-section 7) of Statute book 1946 No. 44, on which account accused deserves to be declared guilty and therefore punished;

CONSIDERING with regard to the punishment to be dealt out to the accused that the crime committed by him is a very serious one;

that his guilt was greatly increased by the following circumstances:

that the women -



that the women who went to the Sakura club were mostly in very poverty-stricken and difficult circumstances, partly through the war with Japan, and accused took advantage of this to use them for his own purposes;

that accused also took into his brothel very young girls aged twelve and fourteen;

that accused drew a very good income from the Sakura club on which he and his kept woman, Lies BEERHORST, had a very good time;

that in the Sakura club the prostitutes were forced to work very hard in order to make the takings as high as possible;

CONSIDERING that the Court, taking into account all these facts, judges a punishment of ten years' imprisonment to be in correct proportion to the guilt of the accused;

In view of article 4 of Statute book 1946 No.45 as well as of the provision previously cited;

#### ADMINISTERING THE LAW

Declares the accused, WASHIO AWOCHI's guilt of the facts with which he has been charged legally and convincingly proved;

Declares him on that account guilty of the war crime "enforced prostitution";

Sentences him therefore to ten years imprisonment.

Sentence passed 25th October 1946 by:

Col.Dr.J.H.Peter	President
Lt.Col.Dr.M.L.Swaab	Members
1st Lt.Dr.J.G.H.van der Starp	

in the presence of:

Warrant officer A.V.de Leau, Deputy Secretary, and summed up and doerced on 11th November 1946.

Noted by me:  
The Deputy Secretary,  
s/ A.V.le Leau.

The President,  
s/Dr.J.H.Peter.  
Members,  
s/Dr.M.L.Swaab  
Dr.J.G.H.Van der Starp.

#### Fiat of execution:

Fiat of execution of the above sentence has been granted this day, 12th November 1946, by me, J.E.IJsebaert.

The Commanding Officer of the  
A.M.A.C.A.B. for Batavia,  
s/ J.E.IJsebaert.

Pronounced at the sitting of the Temporary Court-martial on 15th November 1946 by Col.Dr.J.H.Peter, president, in the presence of Lt.Col. Dr.M.L.Swaab and Maj.Dr.J.Ritman, members, Br.J.G.H.van der Starp, secretary, Dr.R.J.Beer, prosecutor, the accused, and counsel for the defence.

Noted by me,  
The Secretary,  
s/Dr.J.G.H.van der Starp.

The President,  
s/Dr.J.H.Peter.

N.B.KEMPEI	= Military Police.
KEMPEITAI	= Military Police Corps.
GUNSEIKANBU	= Military Administration Office.